

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

MELANIE HOWARD MUSIC, INC.,

Plaintiff,

v.

WARNER BROS. RECORDS, INC.,

Defendant.

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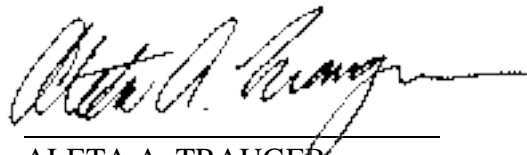
**Case No. 3:08-0979
Judge Trauger**

ORDER

For the reasons expressed in the accompanying Memorandum, the Motion for Summary Judgment (Docket No. 52) filed by the defendant, Warner Bros. Records, Inc. (WBR), is **GRANTED IN PART AND DENIED IN PART**, the Request for Summary Judgment *Sua Sponte* (Docket No. 51) filed by the plaintiff, Melanie Howard Music, Inc. (MHM), is **DENIED**, and the defendant's Motion to Dismiss (Docket No. 22) is **DENIED AS MOOT**, as it was subsumed into the Motion for Summary Judgment.

It is so ordered.

Enter this 10th day of November 2009.



ALETA A. TRAUGER
United States District Judge